

1 AN ACT

2 relating to the establishment of the Pediatric Acute-Onset
3 Neuropsychiatric Syndrome Advisory Council.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Subtitle E, Title 2, Health and Safety Code, is
6 amended by adding Chapter 119A to read as follows:

7 CHAPTER 119A. PEDIATRIC ACUTE-ONSET NEUROPSYCHIATRIC SYNDROME

8 ADVISORY COUNCIL

9 Sec. 119A.001. DEFINITION. In this chapter, "advisory
10 council" means the Pediatric Acute-Onset Neuropsychiatric Syndrome
11 Advisory Council established under this chapter.

12 Sec. 119A.002. ESTABLISHMENT OF ADVISORY COUNCIL. The
13 Pediatric Acute-Onset Neuropsychiatric Syndrome Advisory Council
14 is established to advise the commission and the legislature on
15 research, diagnosis, treatment, and education related to pediatric
16 acute-onset neuropsychiatric syndrome.

17 Sec. 119A.003. APPOINTMENT OF ADVISORY COUNCIL MEMBERS.

18 (a) The advisory council is composed of the following 19 members:

19 (1) one member designated by the executive
20 commissioner;

21 (2) two members of the senate appointed by the
22 lieutenant governor;

23 (3) two members of the house of representatives
24 appointed by the speaker of the house of representatives; and

1 (4) 14 members appointed by the governor with the
2 following qualifications:

3 (A) one member who is a licensed health care
4 provider with expertise in treating persons with pediatric
5 acute-onset neuropsychiatric syndrome, including pediatric
6 autoimmune neuropsychiatric disorders associated with
7 streptococcal infections, and autism;

8 (B) one member who is an osteopathic physician
9 with experience treating persons with pediatric acute-onset
10 neuropsychiatric syndrome, including pediatric autoimmune
11 neuropsychiatric disorders associated with streptococcal
12 infections;

13 (C) one member who is a pediatrician with
14 experience treating persons with pediatric acute-onset
15 neuropsychiatric syndrome, including pediatric autoimmune
16 neuropsychiatric disorders associated with streptococcal
17 infections;

18 (D) one member who is a child psychiatrist with
19 experience treating persons with pediatric acute-onset
20 neuropsychiatric syndrome, including pediatric autoimmune
21 neuropsychiatric disorders associated with streptococcal
22 infections;

23 (E) one member who is an immunologist with
24 experience treating persons with pediatric acute-onset
25 neuropsychiatric syndrome, including pediatric autoimmune
26 neuropsychiatric disorders associated with streptococcal
27 infections, and the use of intravenous immunoglobulin;

1 (F) one member who is a dietician or nutritionist
2 who provides services to children with autism spectrum disorders,
3 attention-deficit/hyperactivity disorders, and other
4 neuro-developmental conditions;

5 (G) one member with experience in conducting
6 research on pediatric acute-onset neuropsychiatric syndrome,
7 including pediatric autoimmune neuropsychiatric disorders
8 associated with streptococcal infections, obsessive-compulsive
9 disorder, tic disorders, and other neurological disorders;

10 (H) one member who is licensed by this state to
11 practice as a social worker;

12 (I) one member who is a representative of the
13 Texas Education Agency with expertise in special education
14 services;

15 (J) one member who is a psychologist licensed
16 under Chapter 501, Occupations Code;

17 (K) one member who is a representative of a
18 professional organization in this state for school nurses;

19 (L) one member who is a representative of an
20 advocacy and support group in this state for individuals affected
21 by pediatric acute-onset neuropsychiatric syndrome, including
22 pedsiatric autoimmune neuropsychiatric disorders associated with
23 streptococcal infections;

24 (M) one member who is a representative of an
25 advocacy and support group in this state for individuals affected
26 by autism; and

27 (N) one member who is a parent of a child who has

1 been diagnosed with pediatric acute-onset neuropsychiatric
2 syndrome or autism.

3 (b) The member designated by the executive commissioner
4 serves as an ex officio nonvoting member. In the event of a tie vote
5 among the members of the advisory council, the member designated by
6 the executive commissioner may cast the deciding vote.

7 (c) Each member of the advisory council must be a citizen of
8 this state.

9 Sec. 119A.004. TERMS; VACANCY. (a) Advisory council
10 members appointed by the lieutenant governor and the speaker of the
11 house of representatives serve terms that coincide with the
12 advisory council members' terms of office. The remaining members
13 serve two-year terms.

14 (b) A vacancy on the advisory council shall be filled in the
15 same manner as the original appointment.

16 (c) A member appointed to fill a vacancy holds the office
17 for the unexpired portion of the term.

18 (d) Each member may be reappointed to serve on the advisory
19 council.

20 Sec. 119A.005. CHAIR AND VICE CHAIR. Members of the
21 advisory council shall elect from among the legislative members of
22 the advisory council a chair and vice chair.

23 Sec. 119A.006. MEETINGS; QUORUM. (a) The advisory council
24 shall meet at times and locations as determined by the chair or a
25 majority of the members of the advisory council.

26 (b) A majority of the members of the advisory council
27 constitute a quorum.

1 Sec. 119A.007. ANNUAL REPORT. (a) Not later than September
2 1 of each year, the advisory council shall prepare and submit to the
3 governor, legislature, and commission a written report that
4 includes recommendations on:

5 (1) practice guidelines for the diagnosis and
6 treatment of pediatric acute-onset neuropsychiatric syndrome,
7 including pediatric autoimmune neuropsychiatric disorders
8 associated with streptococcal infections;

9 (2) mechanisms to increase clinical awareness and
10 education regarding pediatric acute-onset neuropsychiatric
11 syndrome, including pediatric autoimmune neuropsychiatric
12 disorders associated with streptococcal infections, among
13 physicians, including pediatricians, school-based health centers,
14 and mental health care providers;

15 (3) strategies for outreach to educators and parents
16 to increase awareness of pediatric acute-onset neuropsychiatric
17 syndrome, including pediatric autoimmune neuropsychiatric
18 disorders associated with streptococcal infections; and

19 (4) developing a network of volunteer experts on the
20 diagnosis and treatment of pediatric acute-onset neuropsychiatric
21 syndrome, including pediatric autoimmune neuropsychiatric
22 disorders associated with streptococcal infections, to assist in
23 the delivery of education and outreach.

24 (b) Notwithstanding any other law, this section, including
25 any action taken under this section to develop or disseminate
26 information or materials, does not create a civil or administrative
27 cause of action or a civil or criminal liability and does not create

1 a standard of care, obligation, or duty that provides the basis for
2 a cause of action.

3 Sec. 119A.008. COMPENSATION AND REIMBURSEMENT. A member of
4 the advisory council is not entitled to compensation or
5 reimbursement for expenses incurred in performing advisory council
6 duties.

7 Sec. 119A.009. SUNSET PROVISION. The Pediatric Acute-Onset
8 Neuropsychiatric Syndrome Advisory Council is subject to Chapter
9 325, Government Code (Texas Sunset Act). Unless continued in
10 existence as provided by that chapter, the advisory council is
11 abolished and this chapter expires September 1, 2031.

12 Sec. 119A.010. APPLICABILITY OF OTHER LAW. Chapter 2110,
13 Government Code, does not apply to the advisory council.

14 SECTION 2. Not later than December 31, 2019, the governor,
15 lieutenant governor, speaker of the house of representatives, and
16 executive commissioner of the Health and Human Services Commission
17 shall appoint the members to the Pediatric Acute-Onset
18 Neuropsychiatric Syndrome Advisory Council as required by Section
19 119A.003, Health and Safety Code, as added by this Act.

20 SECTION 3. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2783 was passed by the House on May 7, 2019, by the following vote: Yeas 141, Nays 5, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2783 was passed by the Senate on May 22, 2019, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor